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Southern District
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David E. Patton
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By ECF

Honorable Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Extension granted on consent.

SO ORDERED:

Date: 7/29/2020

Richard M. Berman
Richard M. Berman, U.S.D.J.

Re: United States v. Charleton Hightower, 20 Cr. 303 (RMB)

Honorable Judge Berman:

On June 17, 2020, I wrote on Mr. Hightower's behalf to request a stay of deadlines under the Jury Selection and Service Act ("JSSA"), 28 U.S.C. §§ 1867(a) and (f). (ECF No. 12). I write now with the consent of the Government to request a further two-week stay of any relevant deadlines under 28 U.S.C. § 1867(a) or (f).

I intend to file a request to inspect grand jury records nearly identical to the requests filed in *United States v. Balde*, 20 Cr. 281 (KPF), and several other cases currently pending in this district. In the *Balde* case, Judge Failla convened a telephone conference with the Southern District Jury Administrator to gather information about the records requested by Mr. Balde and other defendants litigating records requests. Following the *Balde* phone conference, the parties in that case submitted a joint letter to Judge Failla outlining areas of agreement and disagreement concerning the defendant's request for records. On July 16, 2020, Judge Failla endorsed that letter and ruled on two areas of disagreement. On July 24, 2020, the parties wrote to outline their differing positions on a protective order to govern the production of the jury records. They await a ruling on a potential protective order.

I therefore request an additional two-week extension of my time to file a demand for inspection of jury records while Judge Failla rules on the potential protective order in *Balde*. The Government and defense agree on the logic of streamlining the litigation in this case by following the rulings in the *Balde* case on the issue of access to grand jury records.

Respectfully submitted,

/s/ Ariel Werner

Ariel Werner

Assistant Federal Defender

CC: AUSA Andrew Rohrbach